

# EXHIBIT N

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Afraaz R. Irani, M.D., )

Plaintiff, )

vs. )

Palmetto Health; )

University of South )

Carolina School of )

Medicine; David E. Koon, )

Jr., M.D., in his )

individual capacity; and )

John J. Walsh, IV, M.D., )

in his individual )

capacity, )

Defendants. )

C/A No. 3:14-cv-03577-CMC-KDW

**COPY**

DEPOSITION OF

HARRISON BOYD GOODNO, M.D.

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Thursday, July 2, 2015

8:58 a.m. - 11:59 a.m.

The deposition of HARRISON BOYD GOODNO, M.D., taken on behalf of the Plaintiff at the law offices of Ogletree, Deakins, Nash, Smoak & Stewart, P.C., 1320 Main Street, Suite 600, Columbia, South Carolina, on the 2nd day of July, 2015, before Lyn A. Hudson, Court Reporter and Notary Public in and for the State of South Carolina, pursuant to Notice of Deposition and/or agreement of counsel.

1 A: Well, I guess it would have been a couple months ago  
2 actually because I am off cycle.

3 Q: Okay. When do you expect to graduate from the Family  
4 Medicine Program?

5 A: Officially June of next year. But I should be done by  
6 April 30th.

7 Q: Of 2016?

8 A: Yes.

9 Q: And that's at Palmetto Health?

10 A: Yes.

11 Q: Okay. Is that also affiliated with the University of  
12 South Carolina School of Medicine?

13 A: I guess.

14 Q: Okay.

15 A: It's under Palmetto Health, I guess.

16 Q: How long is the Family Medicine Residency Program? How  
17 many years?

18 A: Three years.

19 Q: Three years?

20 A: Uh-huh (affirmative response).

21 Q: Do you have any plans yet for after you graduate from  
22 the residency program?

23 A: I'll be applying this fall to primary care sports  
24 medicine fellowships to start in 2016.

25 Q: And when do you intend to apply for those?

1 A: This fall.

2 Q: Is there like an open window for the applications to be  
3 submitted?

4 A: You can start submitting on July 15th.

5 Q: Okay.

6 A: And interview in the fall.

7 Q: Does that fellowship program have something similar to  
8 the Match system like residency?

9 A: Uh-huh (affirmative response). Exactly.

10 Q: Do you know what programs you're looking at?

11 A: A variety of programs.

12 Q: Are any of them local?

13 A: I haven't applied yet. So, but yeah. They are  
14 programs in South Carolina.

15 Q: Okay. Now you mentioned your wife that lives with you,  
16 is she also a physician?

17 A: Yes.

18 Q: What is her specialty?

19 A: Pediatrics.

20 Q: Is she in practice in the Columbia area?

21 A: She is.

22 Q: Where does she practice?

23 A: Brookland Community Peds.

24 Q: Is that in West Columbia?

25 A: Yes.

1 Orthopedics Department?

2 MS. THOMAS: Object to the form.

3 A: I don't, I don't know which department she was in. It  
4 was an orthopedics patient.

5 BY MR. ROTHSTEIN:

6 Q: Okay. Do you know what faculty member in the  
7 Orthopedics Department would have been involved in  
8 those injections?

9 MS. THOMAS: Object to the form.

10 MS. HELMS: Object to the form.

11 A: I don't recall.

12 BY MR. ROTHSTEIN:

13 Q: Do you know anything about those, about the specifics  
14 of that case?

15 MS. THOMAS: Object to the form.

16 A: No.

17 BY MR. ROTHSTEIN:

18 Q: I think you said you went to medical school at MCG.  
19 And what year did you start medical school?

20 A: 2006.

21 Q: And you graduated in 2010?

22 A: Yes.

23 Q: Where did you go to undergrad?

24 A: Georgia Tech.

25 Q: How did you get interested in applying for a residency

1 in orthopedic surgery?

2 A: I've always been interested in musculoskeletal.

3 Enjoyed my rotations in medical school.

4 Q: Was orthopedic surgery your first choice of a specialty  
5 for a residency program?

6 A: Yes.

7 Q: In your experience and observation in applying for  
8 residencies and researching residency programs, would  
9 you consider orthopedic surgery to be a competitive  
10 residency to get into?

11 A: Yes.

12 Q: Do you understand the difference between a preliminary  
13 residency and a categorical residency?

14 A: Could you repeat that?

15 Q: Do you understand the terms preliminary residency and a  
16 categorical residency?

17 A: I'm sure I did at one time. I don't, I recognize the  
18 terms. I don't, I'm not sure I understand, or I could  
19 define it for you right now.

20 Q: What is your basic understanding of what a preliminary  
21 residency is?

22 A: I, I mean, I can speculate but I don't know the true  
23 definition. So there's no point in speculating.

24 Q: Have you ever heard the term prelim or preliminary  
25 position in a residency?

1 A: I have. Again, I don't know if you are referring to  
2 like a transitional year, like some people do a  
3 transitional year. If they are going into radiology or  
4 something they may have a preliminary, or a  
5 transitional year is the way I understand it. And they  
6 do one year on some specific residency. And they may  
7 either stay at the same hospital or they may go to  
8 another hospital for their, they've Matched twice  
9 basically and do another residency in what they  
10 intended to do. Again, I'm not sure if that's what  
11 you're referring to or not.

12 Q: Okay. Well, that may be one form. But is there  
13 another form of a prelim position or a preliminary  
14 residency position?

15 A: I have no idea.

16 Q: Have you ever heard of residency programs where the  
17 incoming class is potentially larger than the  
18 graduating class or the succeeding classes, there is  
19 sort of a competition among the residents to move  
20 forward where --

21 MS. HELMS: Objection to the form of the question.

22 MS. THOMAS: Object to the form.

23 A: Have I ever heard of that before?

24 BY MR. ROTHSTEIN:

25 Q: Yes.

1 A: I've heard of that before. Yes.

2 Q: Have you ever heard of that in an Orthopedic Surgery  
3 Residency Program?

4 MS. THOMAS: Object to the form.

5 A: No.

6 BY MR. ROTHSTEIN:

7 Q: Did you apply for residency positions in any other  
8 specialties other than orthopedic surgery when you were  
9 first finishing medical school?

10 A: Yes.

11 Q: What other specialties or subspecialties did you apply  
12 for?

13 A: I applied to a few anesthesia programs as well.

14 Q: Any family medicine programs?

15 A: No.

16 Q: Orthopedics and anesthesia are the only two types of  
17 residency programs you applied to?

18 A: Yes.

19 Q: Do you recall how many orthopedics programs you applied  
20 to?

21 A: I don't remember the exact number. No.

22 Q: Okay. Do you recall how many interviews you went on in  
23 the, during the Match process?

24 A: I don't remember the exact number. Over ten.

25 Q: Did you interview at any anesthesia programs?



1 Q: Okay. Is there anything, does it say resident or  
2 orthopedics or does it say anything under your name or  
3 near your name?

4 A: I know you can always look at a resident's jacket on  
5 the left side and see what department they're in.

6 Q: Okay.

7 A: I don't remember the specifics of what it says.

8 Q: Do you recall whether your coat that you were issued  
9 during your residency had the words Palmetto Health on  
10 it anywhere?

11 A: Not that I recall.

12 Q: Do you still have the coats from your Orthopedic  
13 Residency Program?

14 A: I think they're actually still sitting in the basement  
15 of the laundry.

16 Q: And was that sort of the official uniform that you were  
17 supposed to wear in the hospital to identify yourself  
18 as a physician or a resident?

19 A: I don't think it was required. But I mean I certainly  
20 wore it, you know, for whenever I needed it. But I  
21 didn't have to wear it.

22 Q: Now if you started residency in July of 2010 in  
23 Orthopedic Surgery, did you have an expectation of a  
24 graduation date?

25 A: Yeah. I mean, it's standard for a five-year program.

1 Q: Okay. So if you had stayed in the program you would  
2 have graduated about a month ago or within the last  
3 month?

4 A: That was my hope if I would have stayed in the program.

5 Q: And when you started the program did you have an  
6 expectation that you would be allowed to continue for  
7 that five-year program unless you resigned or did  
8 something that gave the program cause to terminate you?

9 A: Could you rephrase that?

10 Q: Yeah. When you started the Orthopedic Surgery  
11 Residency Program did you expect that you would  
12 graduate from that program unless you resigned from the  
13 program or you did something that would give the  
14 program cause to terminate your employment?

15 MS. THOMAS: Object to the form.

16 A: I think that would be anyone's expectation for any job  
17 or any contract they signed or anything. So yes.

18 BY MR. ROTHSTEIN:

19 Q: Were you ever placed on any type of academic  
20 remediation during your participation in the Orthopedic  
21 Surgery Residency Program at the University of South  
22 Carolina School of Medicine?

23 A: No.

24 Q: Now, we mentioned that Dr. Irani was in your same  
25 incoming class. Would he have been considered your

1 Q: Did Dr. Voss perform surgeries at the VA?

2 A: I don't recall that.

3 Q: Did Dr. Walsh perform any surgeries at the VA during  
4 that time?

5 A: I don't recall specifically.

6 Q: Was Dr. Chu in the orthopedics department at the VA  
7 during your rotation over there?

8 A: I don't remember when he came. I never worked with him  
9 directly.

10 Q: Okay. What was your experience like during your  
11 rotation at the VA with Dr. Eady?

12 A: Positive. He's a good teacher. Very intelligent. The  
13 VA rotation was also a negative though because there  
14 was, they had shut down some of the ORs for some  
15 sterilization reason or something. So they, we weren't  
16 doing as many surgeries as one would hope as a surgical  
17 resident. But the overall experience was positive.

18 Q: Do you recall a time when Dr. Eady was suspended from  
19 performing open reductions and internal fixations of  
20 fractures and total joints at the VA?

21 A: I recall that occurring. I don't remember when it was.

22 Q: How did you find out about it?

23 A: I don't recall.

24 Q: Did you ever assist with any open reductions and  
25 internal fixations of total joints during your rotation

1 at the VA?

2 A: Yes.

3 Q: Would those have been with Dr. Koon?

4 A: Yes.

5 Q: Any other attendings perform those procedures during  
6 your rotations at the VA?

7 A: This was a long time ago. I don't, I don't remember.  
8 I'm sure there were other attendings.

9 Q: Now, I think you said that you believe Dr. Eady was a  
10 good teacher. Do you think you learned a lot about  
11 orthopedic surgery during the rotation with Dr. Eady?

12 MS. THOMAS: Object to the form.

13 A: He was a good teacher.

14 BY MR. ROTHSTEIN:

15 Q: Did Dr. Eady provide timely feedback to you during your  
16 rotation at the VA?

17 A: I don't understand what that means.

18 Q: Did Dr. Eady provide you with constructive criticisms  
19 or feedback about your job performance while you were  
20 on the rotation with Dr. Eady at the VA?

21 A: He was a good teacher. I don't recall specifically how  
22 he handled feedback.

23 Q: Do you recall receiving any performance evaluations  
24 from your rotation at the VA in the fall of your PGY 2  
25 year?

1 believe that your conversation, phone conversation with  
2 this patient was similar to Dr. Irani's telephone  
3 conversation with this patient?

4 A: I couldn't say.

5 Q: Did you get written up in response, in regard to this  
6 particular patient?

7 A: What do you mean written up?

8 Q: Did you get placed on academic remediation because of  
9 this patient?

10 A: No.

11 Q: Did you have any disciplinary action taken against you  
12 with regard to this patient?

13 A: As far as I recall, no.

14 Q: Okay. Do you recall speaking with Dr. Irani on  
15 December 5th 2011 around 6:15 or 6:30 in the cafeteria?

16 A: No.

17 Q: Do you recall a time seeing Dr. Irani in the cafeteria  
18 late in the evening or I guess early in the evening  
19 where he appeared to be upset about a faculty meeting  
20 that he had attended?

21 A: I don't remember that specifically, no. That specific  
22 instance, no.

23 Q: Do you ever remember having discussions with Dr. Irani  
24 about a situation where he was called in to a faculty  
25 meeting at the Orthopedic Surgery Department?

1 A: Specifically, no. But I'm sure he would have had a  
2 faculty meeting.

3 Q: How many times did you get called in to faculty  
4 meetings during your residency?

5 A: Once.

6 Q: When was that?

7 A: Probably this, it would have been summer of my second  
8 year going into my third year. Or sometime towards the  
9 end of my second year would be my guess.

10 Q: Okay.

11 A: End of, would have been 2012, I guess.

12 Q: Was that a memorable experience for you?

13 A: Yes.

14 Q: Tell me what happened during that faculty meeting.

15 A: If the faculty had concerns about any deficiencies that  
16 they detected they would call you first to, they would  
17 address it personally, have the chief residents address  
18 it, I don't know in which order. But if there were  
19 still deficiencies they detected, or they felt were  
20 present, they would call you in to a faculty meeting.  
21 All the faculty would be present. Upper level resident  
22 would be involved. For me it was Kenny Linley. And  
23 they would go over what they felt you needed to improve  
24 on.

25 Q: Okay. Were you informed of these deficiencies or the

1 nature of these alleged deficiencies by your senior  
2 resident prior to the faculty meeting?

3 A: Yes.

4 Q: Did you offer an explanation or did you have  
5 discussions with your senior resident about sort of  
6 your side of the story before the faculty meeting?

7 A: I'm sure I would have. I don't remember the specific  
8 conversations.

9 Q: Were there things brought up during the faculty meeting  
10 that were new to you that you had never heard about  
11 before? Allegations of deficiencies?

12 A: I disagreed with some of them. Yes.

13 Q: Were you given an opportunity during the faculty  
14 meeting to explain or discuss things from your  
15 perspective?

16 A: Yes.

17 Q: Did you feel like you were being cross-examined by  
18 Dr. Koon during that faculty meeting?

19 A: No.

20 Q: Did Dr. Koon ever raise his voice toward you during  
21 that faculty meeting?

22 A: Not that I recall.

23 Q: Did Dr. Koon ask you if you wanted to continue in the  
24 residency program during the faculty meeting?

25 A: I remember him asking me that at one point. I don't

1 purposes.)

2 BY MR. ROTHSTEIN:

3 Q: Dr. Goodno, I'm going to hand you Exhibit 3 and ask you  
4 to take a look at that a second. That was the packet  
5 of information your attorney provided to me a few  
6 minutes ago. Can you look through there and tell me if  
7 you believe that that's a copy of your response to the  
8 subpoena duces tecum documents?

9 A: Is this what I provided? Is that what you mean?

10 Q: Yes. Is that what you provided to Ms. Dudley Helms in  
11 response to my subpoena?

12 A: It looks, yes, to be e-mails between me and Afraaz.

13 Q: Does that appear to be the entire packet of information  
14 you provided to Ms. Dudley Helms?

15 A: It looks like it. Yeah. I had it in a little manila  
16 envelope. I just printed every e-mail that I had in my  
17 Hot Mail. I didn't have any in my Palmetto Health.

18 Q: Did you ever receive a litigation hold notice about Dr.  
19 Irani?

20 A: I don't know even know what that means. No. I don't  
21 think so.

22 Q: Okay. We before the break were talking about Dr. Irani  
23 coming back from a period of suspension sometime in  
24 early 2012. And do you recall that?

25 A: Yes.



1 Q: Okay. What do you mean high risk?

2 A: I would consider anything that involves legal  
3 proceedings high risk.

4 Q: High risk for whom?

5 A: Everyone.

6 Q: Did you believe that you were at risk if you supported  
7 Dr. Eady, I mean, Dr. Irani in this case?

8 A: I think there's a huge conflict of interest in this  
9 whole situation. So it's very difficult for everyone  
10 involved. But the fact that I'm still working at the  
11 hospital is very awkward.

12 Q: Did anyone ever instruct you not to have any further  
13 communication with Dr. Irani?

14 A: No.

15 Q: Did you fear that you would be retaliated against if  
16 you supported Dr. Irani's side of the case?

17 A: Can you rephrase that?

18 Q: Yeah. Did you feel that you would be retaliated  
19 against if you supported Dr. Irani's side of the case?

20 A: Not specifically. I would certainly think that would  
21 be a concern that I would have especially since I'm  
22 still employed at the hospital. But I don't have any  
23 specific reason for that.

24 Q: Okay. Besides the hospital were you concerned about  
25 anyone else retaliating against you if you took Dr.

1 MS. HELMS: Object to the form.

2 MS. THOMAS: Object to the form.

3 A: I've never met him. I understand he transferred to  
4 Family Medicine. That's why, that's the only pertinent  
5 reason I know that. And sounds like he had a very  
6 similar interest as mine in sports medicine.

7 BY MR. ROTHSTEIN:

8 Q: Do you know whether Dr. McDaniel went on to do a  
9 fellowship in non-operative sports medicine at the USC  
10 Department Of Orthopedics?

11 A: That's my understanding. Yes.

12 Q: Do you know why or do you know an individual named  
13 Michael Kanwisher?

14 A: Yes.

15 Q: Do you know why Dr. Kanwisher left the program?

16 MS. THOMAS: Object to the form.

17 A: He's doing emergency medicine now.

18 BY MR. ROTHSTEIN:

19 Q: Did Dr. Koon ever blow an air horn at Dr. Kanwisher  
20 during morning conference?

21 A: Yes.

22 Q: Tell me about that.

23 A: He was giving a presentation and -- I don't remember  
24 the specifics. And then he went and got a, something  
25 from his office and came back and blew it a couple of

1 times, I guess.

2 Q: What was Dr. Kanwisher's response?

3 A: You would have to ask Dr. Kanwisher. I don't remember.

4 Q: Did you observe anything about Dr. Kanwisher's  
5 response?

6 A: All I remember was the bull horn or whatever. I don't  
7 remember, I could not speculate on how Dr. Kanwisher  
8 acted.

9 Q: Did you ever see Dr. Kanwisher crying during the  
10 Orthopedic Surgery Residency Program?

11 A: I don't remember a specific incident. I know he's  
12 appeared emotional at times but I don't remember, and I  
13 couldn't speculate as to why that was. He's dating a  
14 girl. I have no idea what he was emotional about.

15 Q: Other than girlfriend trouble, did Dr. Koon ever make  
16 Dr. Kanwisher cry in your observation by something he  
17 did, by something that Dr. Koon did or said during the  
18 residency program?

19 A: Specifically I don't remember that.

20 Q: Do you know who Zachary Green is?

21 A: I believe he was an intern last year in the orthopedic  
22 program.

23 Q: Let me go back to Dr. Kanwisher. Who left the program  
24 first, you or Dr. Kanwisher?

25 A: I did.